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Attorneys for Defendants Lord, Abbett & Co. LLC,
Lord Abbett Distributor LLC, Robert S. Dow,
and the individual defendants identified in the Consolidated Amended Class Action
Complaint as “The Partners”

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

In Re LORD ABBETT MUTUAL FUNDS
FEE LITIGATION

DOCUMENT FILED ELECTRONICALLY

MASTER FILE: 04-cv-559 (WJM)

NOTICE OF MOTION FOR DISMISSAL
OF THE ACTION PURSUANT TO
SLUSA

THIS DOCUMENT RELATES TO: ALL ACTIONS

PLEASE TAKE NOTICE that on June 12, 2006, or as soon thereafter as counsel may be heard, Kirkpatrick & Lockhart Nicholson Graham LLP, attorneys for Defendants Lord, Abbett & Co. LLC, Lord Abbett Distributor LLC, Robert S. Dow, and the individual defendants identified in the Consolidated Amended Class Action Complaint (the “Complaint”) as “The Partners” (collectively, the “Lord Abbett Defendants”), will move before the Honorable William J. Martini, United States District Judge, at the Martin Luther King, Jr. Federal Building and United States Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order dismissing the action in its entirety.

Pursuant to the Court’s Order dated April 19, 2006, the Lord Abbett Defendants

respectfully move the Court to dismiss the action in its entirety in view of (1) the Court's ruling in its opinion and order of December 28, 2005 that the Complaint included allegations resulting in preemption under the Securities Litigation Uniform Standards Act of 1998, Pub. L. 105-353, 112 Stat. 3227 ("SLUSA"), codified in part at 15 U.S.C. §§ 77p(f)(3), 78bb(f)(5)(E), see In re Lord Abbett Mutual Funds Fee Litig., 407 F. Supp. 2d 616, 626-29 (D.N.J. 2005), (2) the validation of this Court's SLUSA rulings subsequently provided by the Supreme Court's opinion in Merrill Lynch, Pierce, Fenner & Smith, Inc. v. Dabit, 126 S. Ct. 1503 (2006), and (3) the statutory language of SLUSA and the considered dicta in Rowinski v. Salomon Smith Barney Inc., 398 F.3d 294, 304, 305 (3d Cir. 2005), recognizing that SLUSA preempts entire actions rather than claims, and the Supreme Court's rejection of the fundamental premise that the Second Circuit invoked to reach a contrary conclusion.

PLEASE TAKE FURTHER NOTICE that in support of this motion, the Lord Abbett Defendants will rely upon the accompanying memorandum of law, certificate of service, and Proposed Order.

Dated: 05/03/2006

/s/ Christopher A. Barbarisi (8716)

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